

### REMARKS

The present application has been reviewed in light of the Office Action dated October 17, 2003. Claims 12-17, 22-27, and 33-38 are presented for examination, of which Claims 36-38 are in independent form. Claims 12, 13, 15-17, 23, 25, 26, 36-38 have been amended as to formal matters and/or to define Applicant's invention more clearly. Favorable reconsideration is requested.

Applicant acknowledges with appreciation the allowance of Claims 22-27, 33-35, 37, and 38. Some of those claims have been amended purely as to formal matters, which are not believed to affect their allowability. This leaves independent Claim 36 and the claims that depend therefrom unallowed.

The Office Action states that Claims 12, 13, 15, 16, and 36 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,839,829 (Freedman); that Claim 14 is rejected under § 103(a) as being unpatentable over Freedman in view of U.S. Patent Application Publication No. 2002/0063887 A1 (White); and that Claim 17 is rejected under § 103(a) as being unpatentable over Freedman in view of U.S. Patent No. 5,850,584 (Robinson et al.).

Applicant submits that independent Claim 36, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the reason that Claim 36, which is a claim directed to a data processing apparatus, has been amended to closely correspond to Claims 37 and 38, which are claims directed to a method of processing data in a data processing apparatus and a computer program executed by a computer of a data processing

apparatus, respectively. That is, Claim 36 includes the feature of generating a plurality of image data from the print data based on characteristics of the plurality of image processing apparatuses, each image data being specific to one of the plurality of image processing apparatuses; and generating, based on the plurality of image data, cost estimate data representing a cost required for producing an image from the print data by each image processing apparatus. This feature is closely similar to the feature identified as the reason why Claims 37 and 38 are allowable over the prior art of record.

Freedman is not seen to disclose or suggest the generating unit of Claim 36, which performs the feature discussed above. Therefore, Applicant submits that Claim 36 is not anticipated by Freedman and respectfully requests withdrawal of the rejection under 35 U.S.C. § 102(b). The other rejected claims in this application depend from Claim 36 and are submitted to be patentable for at least the above reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

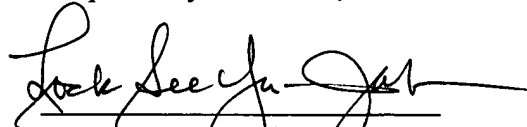
In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

CONCLUSION

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

  
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